

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**  
**COMPLETION OF FILING NATIONAL PHASE OF PCT APPLICATION**  
**UNDER RULE 35 USC 371 AND 37 CFR 1.494(C) OR 1.495(C)**

**BOX PCT**

**COMPLETION**  
**For PCT Cases Only**

In re PATENT APPLICATION of

Attn: Application Division

Inventor(s): MADAUS et al.

Appln. No.: 10 | 070,346Atty. Dkt. P 290753 | 

Series Code ↑

Serial No. ↑

M#

Client Ref

National Phase

Based on PCT EP01 | 07574

↑ Country Code &amp; Year

Title: DEVICE FOR DETECTING THE RESPIRATORY ACTIVITY OF  
A PERSON

Date: June 21, 2002

**FILING OF ITEM(S) LATE IN PCT/USA NATIONAL CASE**Asst. Commissioner of Patents  
Washington, DC 20231

Sir:

The following completes the filing of the subject application under Rule 494(c)/495(c). Please accept the following attached items:

1. Missing Requirements Notice (PCT/DO/EO/905) ☒ copy attached ☐ not yet received
2. ☒ **Signed Declaration** ☒ Original ☐ Facsimile/Copy ☐ with spec/claims attached
3. ☒ **Translation** of the International Application into English including:
  - a. ☐ Request;
  - b. ☐ Abstract
  - c. 15 pgs. Spec. and Claims;
  - d. ☒ Translation verification
  - e. 3 sheets Drawing which are: ☐ informal ☒ formal of size ☒ A4 ☐ 11"
4. ☐ Copy of **International Search Report (ISR)** attached (   page(s))
  - a. ☐ plus Annex of family members (   page(s))
5. **Information Disclosure Statement** including
  - a. ☐ From PTO-1449 listing documents
  - b. ☐ Copies of document(s) listed on Form PTO-1449
  - c. ☐ A concise explanation of ISR references is given in the ISR
6. ☒ **2 Assignments** and cover sheets. Please return the recorded assignment to the undersigned.
7. ☐ Copy of Power to international application agent.
8.    (No.) Small Entity Statement(s) establishing "small entity" status under Rules 9 & 27:
9. ☐ Formal Drawings:    sheet(s) ☐ informal; ☐ formal of size: ☐ A4 ☐ 11"
10. ☒ Please immediately start national examination procedures (35 USC 371(f))

11. ☐ Attached:
12. ☐ Preliminary Amendment:
13. ☒ Basic U.S. National fee per Rule 492(a)(1)-(4) was previously timely filed.:
14. **Calculation of remaining fees due (if any):** based on amended claim(s) per above item  
☐ 12 (above) or item(s) in PAT-112 (filed previously) ☐ 12 ☐ 14 ☐ 17 ☐ 25
15. **CLAIMS FEES** ☒ previously paid ☐ paid herewith as follows:
- 15A. Small Entity Statement ☐ Herewith ☐ Previously Filed

			Large/Small Entity		Fee Code
16. Total Effective Claims		minus 20 =	x \$18/\$9	+	966/967
17. Independent Claims		minus 3 =	x \$84/\$42	+	964/965
18. If any proper multiple dependent claim (ignore improper) is present,			\$280/\$140	+	968/969
19. Filing Declaration late, fee paid <input type="checkbox"/> previously <input checked="" type="checkbox"/> now			\$130/\$65	+ 130	154/254
20.	<b>SUBTOTAL</b>			<b>\$ 130</b>	
21. <b>Original due date:</b> July 7, 2002					
22. <b>Petition is hereby made</b> to extend the <b>original</b> due date to	(1 mo)	\$110/\$55 =	+0		115/215
cover the date this response is filed for which the requisite fee	(2mos)	\$400/\$200 =			116/216
is attached	(3mos)	\$920/\$460 =			117/217
	(4mos)	\$1,440/\$720 =			118/218
23. If "non-English" box 3 is X'd, add Rule 17(k) processing fee . . . . .		\$130	+130		156
24. If "assignment" box 6 is X'd, add recording fee. . . . .		\$40x2	+80		581
25.	<b>TOTAL FEE =</b>			<b>\$340</b>	

**PLEASE CHARGE  
OUR DEP. ACCT.**

(Our Deposit Account No. 03-3975)

(Our Order No. 74066 290753  
C# M#

**CHARGE STATEMENT:** The Commissioner is hereby authorized to charge any fee specifically authorized hereafter, or any missing or insufficient fee(s) filed, or asserted to be filed, or which should have been filed herewith or concerning any paper filed hereafter, and which may be required under Rules 16-18 (missing or insufficient fee only) now or hereafter relative to this application and the resulting Official document under Rule 20, or credit any overpayment, to our Account/Order Nos. shown above for which purpose a duplicate copy of this sheet is attached.

This CHARGE STATEMENT does not authorize charge of the issue fee until/unless an issue fee transmittal form is filed.

**Pillsbury Winthrop LLP  
Intellectual Property Group**

P.O. Box 10500  
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PTB /dlh

**NOTE: File in duplicate with PTO receipt (PAT-103A) and attachments**



UNITED STATES PATENT AND TRADEMARK OFFICE

 Commissioner for Patents, Box PCT  
 United States Patent and Trademark Office  
 Washington, D.C. 20231  
 www.uspto.gov

U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
10/070,346	Stefan Madaus	P 290753

**RECEIVED**  
 PILLSBURY WINTHROP LLP/VA

00909  
 PILLSBURY WINTHROP, LLP  
 P.O. BOX 10500  
 MCLEAN, VA 22102

MAY 13 2002

INTERNATIONAL APPLICATION NO.	
PCT/EP01/07574	
I.A. FILING DATE	PRIORITY DATE
07/02/2001	

CONFIRMATION NO. 2918

CL 74064 MT# 290753  
 ATTY(S) ALP MA  
 DUE: 8-7-02  
 DKT BY (1) LS (2) DMW

371 FORMALITIES LETTER



\*OC000000008014020\*

Date Mailed: 05/07/2002

### NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as an Elected Office (37 CFR 1.495):

- U.S. Basic National Fees
- Copy of references cited in ISR
- Copy of the International Application
- Copy of the International Search Report
- Information Disclosure Statements
- Preliminary Amendments
- Request for Immediate Examination

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date.

**ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTH FROM THE DATE OF THIS NOTICE OR BY 22 or 32 MONTHS (where 37 CFR 1.495 applies) FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.**

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice **MUST** be returned with the response.*

LAMONT M HUNTER

Telephone: (703) 305-3686

PART 1 - ATTORNEY/APPLICANT COPY

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/070,346	PCT/EP01/07574	P 290753

FORM PCT/DO/EO/905 (371 Formalities Notice)